

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Docket Number	Anticipated Classification		Prior Application	
	Class	Subclass	Examiner	Art Unit
180.00030102			Unknown	Unknown

**REQUEST FOR FILING A DIVISIONAL PATENT APPLICATION  
UNDER RULE 1.53(b)**

Assistant Commissioner for Patents  
Attn: Box PATENT APPLICATION  
Washington, D.C. 20231

Sir:

This is a request for filing a divisional application under 37 CFR § 1.53(b) of Serial No. 09/407,818, filed on September 28, 1999, entitled PRIMERS FOR USE IN DETECTING BETA-LACTAMASES by the following inventor(s) (name, address, and citizenship):

- |    |  |    |  |
|----|--|----|--|
| 1. | Nancy D. Hanson<br>413 Brentwood Drive<br>Grentna, NE 68028<br>Citizenship: U.S.A.                 | 2. | Christine C. Sanders<br>1901 Pennsylvania Avenue<br>Englewood, FL 34224<br>Citizenship: U.S.A. |
| 3. | Anton F. Ehrhardt<br>4262 North 142 <sup>nd</sup> Avenue<br>Omaha, NE 68164<br>Citizenship: U.S.A. |    |  |

1. ☐ Enclosed is a copy of the specification (including claims, abstract, and drawings) as filed in the prior application.
2. ☒ Enclosed is a new specification (including claims and abstract). The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference.
3. ☒ Enclosed is a copy of the Declaration and Power of Attorney filed in the prior application.
4. ☐ Enclosed is a newly executed Declaration and Power of Attorney.
5. ☐ Enclosed are **[in]** formal drawings (☐ sheets).
6. ☒ Cancel in this application claims 1-11, 18-38, and 50 before calculating the filing fee. (At least

one independent claim must be retained for filing purposes.)

7. ☒ A preliminary amendment and an Appendix A (Claim Amendments with Notations To Indicate Changes Made) are enclosed.
8. ☒ The filing fee is calculated below:

CLAIMS AS FILED			
NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$710/\$355
Total Claims 18-20 =	0	\$18/\$9	\$0
Independent Claims 7-3 =	0	\$80/\$40	\$160
MULTIPLE DEPENDENT CLAIM PRESENTED		\$270/\$135	\$0
FILING FEE:			\$515

9. ☒ A check in the amount of \$ 515.00 is attached.
10. ☒ The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-4895.
11. ☐ This application is being filed by less than all of the inventors named in the prior application. Please delete the names of the following inventor(s) who are not inventors of the invention claimed in the present application:
12. ☒ Amend the specification by inserting the following section after the "Title" heading at page 1:  
**--Statement of Related Applications**  
This application is a divisional of U.S. Patent Application Serial No. 09/407,818, filed September 28, 1999, entitled "Primers for Use in Detecting Beta-Lactamases," which claims the benefit of U.S. Patent Application Serial No. 60/102,181 filed September 28, 1998, entitled "Primers for Use in Detecting Beta-Lactamases," and U.S. Patent Application Serial No. 60/121,765 filed February 26, 1999, also entitled "Primers for Use in Detecting Beta-Lactamases." All three applications are incorporated herein by reference.--
13. ☐ Priority of foreign application Serial No. \_\_\_\_, filed on \_\_\_\_ in (country) \_\_\_\_ is claimed under 35 U.S.C. §119.
14. ☒ The prior application is assigned of record to Creighton University.

15. X The Power of Attorney in the prior application is to:

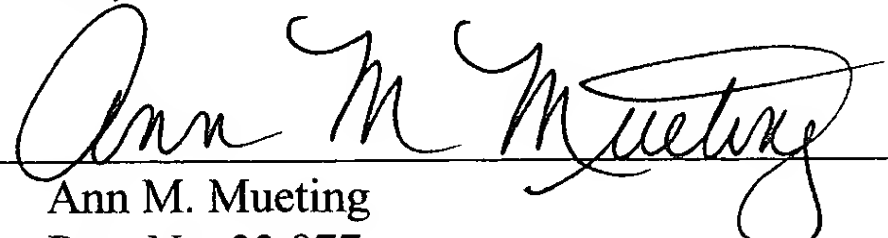
Mueting, Raasch & Gebhardt, P.A.  
P.O. Box 581415  
Minneapolis, MN 55458-1415  
**Customer Number 26813**

**Address all future communications to:**

MUETING, RAASCH & GEBHARDT, P.A.  
P.O. Box 581415  
Minneapolis, Minnesota 55458-1415  
**Customer Number 26813**

Attn: Ann M. Mueting  
(Telephone: 612-305-1220)  
(Facsimile: 612-305-1228)

Date: March 21, 2001

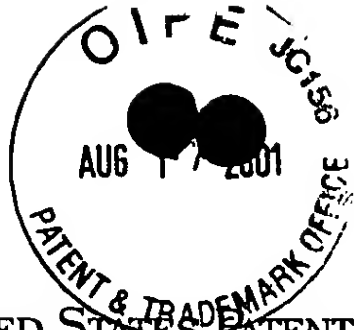
  
Ann M. Mueting  
Reg. No. 33,977  
Direct Dial (612)305-1217

"Express Mail" mailing label number EL776902358US

Date of Deposit March 21, 2001

I hereby certify that this paper and/or fee is/are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Attn: Box PATENT APPLICATION, Washington, D. C. 20231

Name:   
JILL R. PRICE



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/814,257	03/21/2001	1655	515	180.00030102		18	7

26813

MUETING, RAASCH & GEBHARDT, P.A.  
P.O. BOX 581415  
MINNEAPOLIS, MN 55401

*[Signature]* CONFIRMATION NO. 6204  
FILING RECEIPT



\*OC000000006193846\*

Date Mailed: 06/18/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Nancy D. Hanson, Gretna, NE;  
Christine C. Sanders, Englewood, FL;  
Anton F. Ehrhardt, Omaha, NE;

## Assignment For Published Patent Application

Creighton University;

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A DIV OF 09/407,818 09/28/1999 PAT 6,242,223  
WHICH CLAIMS BENEFIT OF 60/102,181 09/28/1998  
AND CLAIMS BENEFIT OF 60/121,765 02/26/1999

## Foreign Applications

Projected Publication Date: To Be Determined - pending completion of Security Review

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

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AUG 20 2001  
TECH CENTER 1600/2900

**Title**

Primers for use in detecting beta-lactamases

**Preliminary Class**

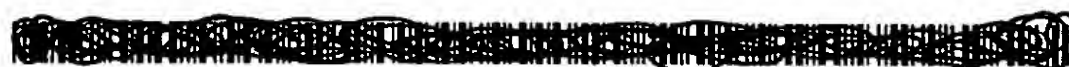
435

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**Data entry by :** YIN, NUNU

**Team :** OIPE

**Date:** 06/18/2001



**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231